

REMARKS

Claim 1 has been amended to limit the light-scattering material particles of the filler used in the method of the invention for manufacturing envelope paper having an air permeability which does not substantially change as a function of the amount of filler to precipitated calcium carbonate particles and to limit the loading factor (see page 4, lines 12-15, of the specification) of the precipitated calcium carbonate particles to 67 -78 %.

Claim 11 has also been amended to limit the light-scattering material particles of the filler used in the method of the invention to precipitated calcium carbonate particles and to limit the loading factor of the precipitated calcium carbonate particles to 67 -78 % and has been further amended to define the method of the invention in terms of a method for manufacturing a paper or board product that comprises a base web and a filler and which has an air permeability which does not vary substantially when the amount of the filler is in the range of from 10 % by weight to 30 % by weight, on the basis of the weight of a precipitated calcium carbonate component of the filler and the weight of the web, and which has an air permeability that is less than that of a paper or board product containing 10 % by weight to 30 % by weight of

precipitated calcium carbonate particles as a filler. Support for this latter limitation is found in the data of the Example in the present specification as illustrated in Fig. 1.

A new claim, claim 12 has been added to the application and defines a method for manufacturing a paper or board product that comprises a base web and a filler and which has an air permeability which varies at maximum by 10 % when the amount of the filler is in the range of from 10 % by weight to 30 % by weight, on the basis of the weight of a precipitated calcium carbonate component of the filler and the weight of the web, comprising adding to the base web for the paper or board product, 10 % by weight to 30 % by weight, on the basis of the weight of the precipitated calcium carbonate component and the weight of the web, of the filler consisting at least in part of cellulose or lignocellulose fibrils on which there have been deposited precipitated calcium carbonate particles, the proportion of the deposited precipitated calcium carbonate particles being that which provides the air permeability which varies at maximum by 10 % and which is between 67 and 78 % of the weight of the filler.

New claims 13-15 have been added to the application and define an envelope paper obtained by a method which comprises the method of claims 1, 11 and 12, respectively.

Referring to the Action of April 30, 2008, claims 1-9 and 11 are rejected under 35 U.S.C. § 102(a) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Silenius et al. (WO 02/92909). Claims 1-9 and 11 are rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Silenius et al. (US 2004/0173329). Claims 1-8 and 11 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Silenius et al. (WO 97/01670). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Silenius et al. (WO 97/01670) in view of Silenius (European Patent No. 0930345 A2; hereinafter "Silenius"). Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Silenius et al. (WO 97/01670) in view of J. Peel (Paper Science & Paper Manufacture; hereinafter "Peel").

Reconsideration and removal of these rejections is respectfully requested.

First, regarding the rejections for anticipation under 35 U.S.C. § 102, none of the references cited as anticipating the method of the present invention describes the use in a method of manufacturing paper of a filler consisting at least in part of cellulose or lignocellulose fibrils on which there have been deposited precipitated calcium carbonate particles, the proportion

of the deposited precipitated calcium carbonate particles being within the range of 67 - 78 % of the weight of the filler, with sufficient specificity to constitute anticipation of the claimed method and envelope paper. (See MPEP § 2131.03).

Regarding the 35 U.S.C. § 103(a) rejections, none of the cited references, alone or in any combination, discloses or suggests any method for controlling air permeability and porosity in an envelope paper (or any paper) so as to be substantially independent of the amount of filler contained in the envelope paper and which provides an air permeability that is less than that of a paper or board product containing an equivalent amount of precipitated calcium carbonate particles as a filler. More particularly, none of the cited references, alone or in any combination, discloses or suggests any method for controlling air permeability and porosity in an envelope paper so as to be substantially independent of the amount of filler contained in the envelope paper and which provides an air permeability that is less than that of a paper or board product containing an equivalent amount of precipitated calcium carbonate particles as a filler, by adding to a fiber slush to be formed into the paper, a filler consisting at least in part of cellulose or lignocellulose fibrils on which there have been deposited precipitated calcium carbonate particles, the proportion

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of the deposited precipitated calcium carbonate particles being limited to between 67 - 78 % of the weight of the filler as now recited in the amended and new claims of the application.

The properties of the paper obtained by the method of the present invention are surprising and unexpected and rebut any prima facie obviousness alleged to be supported by the cited references.

Removal of the 35 U.S.C. § 102 and 35 U.S.C. § 103(a) rejections applied to claims 1-9 and 11 is believed to be in order and is respectfully requested.

*Double Patenting*

The claims of the application are provisionally rejected on the ground of nonstatutory obviousness type double patenting (ODP) as being unpatentable over claims 12-18 of copending Application No 10/475,774; claims 12 and 16 of copending Application No. 10/475,773; claims 12-18 of copending Application No. 10/532,481; and claims 16-22 and 24 of copending Application No. 11/808,273.

Applicants respectfully request that the ODP rejections be held in abeyance pending the determination of allowable subject matter in the present and copending applications.

The foregoing is believed to be a complete and proper response to the Office Action dated April 30, 2008.

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In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension and any additional required fees may be charged to Deposit Account No. 111833.

Respectfully submitted,  
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